



**CITY COUNCIL WORKSESSION, PUBLIC HEARING, & REGULAR MEETING
CELINA COUNCIL CHAMBERS
302 W. WALNUT STREET
MONDAY, FEBRUARY 13, 2012
5:00 P.M. Worksession/Regular Session/ 6:30 P.M. Public Hearing/Action**

M I N U T E S

WORKSESSION/REGULAR SESSION 5:00 P.M.

I. CALL TO ORDER AND ANNOUNCE A QUORUM PRESENT:

Mayor Jim Lewis called the meeting to order at 5:00 p.m. Council members present were Mayor Pro Tem Dewey Isham, Bill Webber, Sean Terry and Larry Berg. Councilwoman Carmen Roberts arrived at 5:21 p.m. Councilman Wayne Nabors was absent.

II. WORKSESSION/COMMITTEE REPORTS/STAFF REPORTS:

- A. Introduction of new police officer-Paul Jones introduced Patrolman Danny Jones
- B. Fire Department Retiree Recognition-Mark Metdker recognized Billy Pell and Jack Reeves
- C. Fire Sprinkler Ordinance Review-Mark Metdker gave brief history of decision to pass the ordinance. Buddy Minett from the audience suggested that the council consider this issue a personal rights situation, consider costs, consider too many requirements and giving developers options.
- D. Quarterly Financial Report-Jay Toutounchian presented the report
- E. Parks Presentation-Flag Installation-Cody Webb related how the MIA flag came to be flown at the Southern Kitchen restaurant, citizen input and gave thanks to Wes Weston for donating the flag. City Manager Mike Foreman echoed the thanks to Mr. Weston.
- F. Baseball Field Use Agreement-Michael Landin highlighted the details of the agreement

City Council convened into executive session at 5:50 p.m. with City Attorney Lance Vanzant, Public Works Director Joseph Johnson, (item A) and Jim Sbonis with First Southwest (Item C).

III. EXECUTIVE SESSION:

City Council will convene into Executive Session pursuant to Texas Government Code Section 551.071, Consultation with Attorney, to seek the advice of the City Attorney or other legal counsel concerning pending or contemplated litigation or on a matter in which the duty of the attorney (s) to the City under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act, and 551.072 Deliberation Regarding Real Property, and 551.087, Economic Development Negotiation,

- A. Lewis Dickerson and Dorothy S. Stambaugh vs. the City of Celina 429-02766-2010
- B. Economic Development negotiations with potential businesses
- C. Lease Negotiations-142 N. Ohio St.
- D. Lakes of Mustang Ranch Development Agreement and Easement Acquisition

City Council reconvened into open session at 6:55 p.m. Mayor Pro Tem Dewey Isham moved to approve the City Manager to continue lease negotiations for item C. Councilman Webber seconded. Motion carried. 5-yes;0-no.

PUBLIC HEARING/ACTION ITEMS 6:30 P.M.

IV. PLEDGE OF ALLEGIANCE/INVOCATION:

Mayor Lewis led the pledges of allegiance and gave the invocation.

V. PROCLAMATIONS/PRESENTATIONS/OATHS OF OFFICE:

VI. OPEN FORUM:

Citizen Todd McCally, 1308 Lakeview-questioned how the Fire Sprinkler Ordinance might save taxpayers money. Chief Metdker explained that a neighborhood with “sprinklered” homes could have a fire station with a different manning strategy, such as less and/or different equipment and less manpower.

VII. CONSENT AGENDA:

- A. Consider and act upon approval of minutes from: 01/09/2012 Faulkner
- B. Consider and act upon a resolution 2012-01R of the City Council of the City of Celina, Texas, ordering and calling a General Election for the purpose of electing, a council member for Place 2, and a council member for Place 3 for three (3) year terms each; authorizing a joint election with the Denton County Elections Administrator and the political subdivisions located entirely or partially inside the boundaries of Denton County to be held on May 12, 2012. Faulkner
- C. Consider and act to approve an agreement by and between the City of Celina and Triple Creek Academy for use of Old Celina Park baseball and softball fields.
- D. Consider and act regarding a resolution 2012-03R suspending the March 6, 2012, effective date of ATMOS Energy Corp., Mid-Tex Division requested rate change to permit the city time to study the request and to establish reasonable rates; approving cooperation with ATMOS Cities Steering Committee and other cities in the ATMOS Mid-Tex service area to hire legal and consulting services and to negotiate with the company and direct any necessary litigation and appeals; requiring reimbursement of cities’ rate case expenses; finding that the meeting at which this resolution is passed is open to the public as required by law; requiring notice of this resolution to the company and ACSC’s legal counsel.
- E. Consider and act regarding Resolution 2012-02R authorizing the city manager, city fire chief and city treasurer to sign checks and drafts on Celina Fire Department Vehicle Replacement Account.
- F. Consider and act to approve an Interlocal Agreement by and between the City of Celina and Denton County for road grading services on a portion of Legacy Drive.
- G. Consider and act to authorize enactment of Drought Contingency Stage 1 actions to protect public health, safety and welfare. Johnson

Councilman Terry moved to approve the consent agenda as written. Councilman Webber seconded. Motion carried. 5-yes;0-no.

VIII. PUBLIC HEARING/ACTION:

IX. ACTION ITEMS:

- A. Consider and act upon an ordinance of the City Council of Celina, Texas, amending the City’s Code of Ordinances, Appendix A: Fee Schedule: Article A6.000 Subdivision, Zoning and Land Usage, Fees to add a Section A6.0009 Outdoor Warning Device Fee. Metdker

Councilman Terry moved to approve an ordinance 2012-04, amending the City’s Code of Ordinances to add Outdoor Warning Device Fee. Councilman Webber seconded. Motion carried. 5yes;0-no.

- B. Consider and act upon an ordinance amending the City’s Code of Ordinances, Appendix A: Fee Schedule; Article A3.000 Building Related Fees, Section A3.001 Building Permits and Inspections; Contractor Registration, Subsection (c) Plan review fee.

Councilman Terry moved to approve an ordinance 2012-05, amending the City's Code of Ordinances, Appendix A: Fee Schedule; Article A3.001 (c) Plan review fee. Mayor Pro Tem Isham seconded. Motion carried. 5-yes;0-no.

- C. Consider and act upon an Interlocal Agreement with Collin County approving the transfer of funds from Collin County Project 07-00-17 (CR 5) to the city for completion of a water utility relocation at Station 465 of the TXDOT Project CSJ 0091-04-055. Johnson

Councilman Terry moved to approve item C. Councilman Webber seconded. Motion carried. 5-yes;0-no.

- D. Consider and act upon appointment to various City Boards/Commissions and Economic Development Board.

No action on item D.

X. ADJOURNMENT:

There being no further comment, Mayor Lewis adjourned the meeting at 7:12 p.m.

Jim Lewis, Mayor

Vicki Faulkner, TRMC
City Secretary, City of Celina, Texas

Date Minutes Approved